

Application No.: 10/648,375Docket No.: A5868,0031**REMARKS**

Claims 1, 3 - 8, and 10 - 18 are pending in the case. Claims 2 and 9 were canceled without prejudice. New claims 17 and 18 were added. Claim 1 was amended to advance the allowance of the subject application. The disclosure was amended to remove typographical errors. Reconsideration of the subject patent application is respectfully requested in view of the above amendments and the following remarks.

The disclosure was objected to because of the informalities indicated on page 2 of the Office action. Applicant thanks the Examiner for pointing out the typographical errors in the specification, which have been corrected. With respect to the abbreviation "TGA," applicant respectfully submits that "TGA" stands for "thermogravimetric analysis," as is disclosed on page 31, line 4 of the specification. The abbreviation "³¹P NMR" stands for the term "phosphorus-31 nuclear magnetic resonance." The disclosure was amended to include such term. In view of the above, applicant respectfully submits that the subject objection is believed to be overcome.

Claims 1, 2, 5, 8 and 12-16 were rejected under 35 U.S.C. § 102(b) as being unpatentable over Otsuka Chemical Company EP 0 945 478 for the reasons set forth on page 2 of the Office action. In response, applicant amended claim 1 to recite the features in the original claim 9. Therefore, the above rejection is believed to be moot.

Claims 1 - 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over EP0945478 (Reference 1), in view of JP2002-146146 (Reference 2), JP2000-198793 (Reference 3), JP2001-98144 (Reference 4) or JP4-198189 (Reference 5) for the reasons set forth on pages 3 and 4 of the Office action.

Applicant respectfully disagrees that claim 1 is unpatentable over Reference 1 in view of one of References 2 to 5 based on the results of the International Search Report (the "ISR"). The Office action indicated that Reference 1 alone does not disclose the original claim 9. Applicant respectfully submits that nor does the ISR shows that

Application No.: 10/648,375Docket No.: A5868.0031

any one of References 2 to 5 discloses the features in the original claim 9. Therefore, even if Reference 1 is combined with References 2 to 5, such combination does not disclose claim 1 as amended. Accordingly, applicant respectfully submits that the subject rejection is believed to be moot.

For the Examiner's convenient reference, applicant respectfully submits the following summaries of References 2, 3 and 5:

(1) Reference 2 (JP2002-146146)

Reference 2 discloses a flame retardant thermoplastic resin composition having a moisture content of 0.5 wt % or less. Such a moisture content reflects that in the resin composition comprising the phosphazene composition.

(2) Reference 3 (JP2000-198793)

Reference 3 discloses a method of making a phosphazene composition which is similar to that of Comparative Example 1 in the present specification. In other words, the method in Reference 3 is contemplated to provide a high purity phosphazene composition without side reactions, such as hydrolysis, crosslinking and the like. Reference 3 also suggests, in Examples and Comparative Examples, that a phosphazene composition having a content of volatile components in a smaller amount is preferred.

Furthermore, Reference 3 discloses that the content of volatile components is measured in accordance with the industrial standard of JIS-K2246, in which a content of volatile components is measured after heating a sample in a boiling-water bath for 2 hours. Accordingly, the content of volatile components in Reference 3 is measured at the temperature of 100 °C.

(3) Reference 5 (JP4-198189)

Figure 1 of Reference 5 represents weight-reducing rates measured by TGA ranging to 350 °C in connection with a phenoxyphosphazene composition (i.e., a mixture of phenoxyphosphazene compounds) of Example 1 and a phosphazene compound having only an aliphatic group as a side chain of Comparative Example 2.

Application No.: 10/648,375Docket No.: A5868.0031

The curve of the former composition is named "A" and the curve of the latter compound is named "B" in Figure 1, respectively.

Figure 1 also shows that the temperature at which the weight of the phenoxyphosphazene composition begins to reduce is relatively low, e.g., 175-180 °C. On the other hand, in Figure 1 of Reference 5, the weight retention of the phosphazene compound having only an aliphatic group as a side chain at 300 °C or more is less than 10 wt % (*i.e.*, the weight-reducing rate is more than 90 wt %).

Reference 5 does not disclose that when a weight retention of a phosphazene composition according to TGA is not higher than a specific value, the phosphazene composition can attain improved flame-retardancy and processing fluidity.

In addition, applicant respectfully submits a partial English-language translation of Reference 5 for the Examiner's reference.

Claim 2 was rejected under 35 U.S.C. § 112 for the reasons set forth on page 4 of the Office action. This rejection is moot in view of the cancellation of claim 2.

Applicant has shown that all pending claims are allowable over the cited art and hereby respectfully requests that the objection and rejections be withdrawn. Each of the presently pending claims in this application is believed to be in immediate condition for allowance and such action is earnestly solicited.

No fee is believed to be due for this Amendment. Should any fees be required, please charge such fees to Deposit Account No. 50-2215.

Respectfully submitted,

Dated: July 8, 2005

By Hua Gao (40,414)
Hua Gao Registration No.: 40,414
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 Avenue of the Americas
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant

Enclosure

(54) FLAME RETARDANT OIL
(11) JP-A-4-198189
(43) Publication Date: July 17, 1992
(19) JP
(21) Appln. No. 2-325318
(22) Filing Date: November 29, 1990
(71) Applicant: BRIDGESTONE CORP
(72) Inventor: KURACHI, Ikuo et al.

[Page 3, lower right column, line 8 to page 4, upper right column, line 3, and Table 1]

<Referential Example>

(A method of preparing compounds having a chlorophosphonitrile ring)

A greatly extra amount of NH_4Cl was added to a PCl_5 solution dissolved in tetrachloroethane in accordance with Industrial Chemical Magazine 66,618 (1963) (Authors; Hajime SAITO and Narumi KAJIWARA) and the solution was heated to 130 °C or more. After the reaction, the reaction solution was filtered and unreacted NH_4Cl was separated from the solution. After a distillation of the filtrate, the remaining portion was treated by a petroleum ether so as to obtain a mixture of compounds having a chlorophosphonitrile ring.

<Example 1>

24g of phenol was dissolved in THF (tetrahydrofuran) and 5.8g of metal Na was added thereto to form a sodium phenoxide. A THF solution containing 10g of compounds having a chlorophosphonitrile ring obtained in the above Referential Example was dropped to this solution slowly. After the dropping, the solution was heated to the vicinity of the boiling temperature of THF and then the heated solution was fluxed for one hour. When the reaction was completed, THF was removed and the product was washed by an ether and a dilute aqueous solution of sodium

hydroxide. The washed product was subjected to an ether extraction, and the ether solution containing a mixture of compounds having a phosphonitrile ring was dried with calcium chloride. The ether was removed by drying the solution all day and night to obtain a flame retardant oil. The components of the resultant flame retardant oil were a mixture of compounds having a phosphonitrile ring as shown in the following. The flame retardant oil was present as a liquid form at room temperature and exhibited excellent electric insulating properties and high dielectric constant as shown in Table 1.

$[(C_6H_5O)_2PN]_3$	45%	$[(C_6H_5O)_2PN]_6$	1%
$[(C_6H_5O)_2PN]_4$	15%	$[(C_6H_5O)_2PN]_7$	25%
$[(C_6H_5O)_2PN]_5$	12%	Octamer and more	2%

Figure 1 represents results as to heat resistance of the oil of Example 1 and the oil of Comparative Example 2 measured by TGA (thermogravimetric analysis). In Figure 1, the horizontal axis means temperature (°C) and the longitudinal axis means weight-reducing rate, respectively. The line A means the curve of the results of Example 1 and the line B means the curve of the results of Comparative Example 2, respectively. The temperature at which the weight of the oil of Example 1 began to reduce was 175 °C and the temperature at which the weight of the oil of Comparative Example 2 began to reduce was 120 °C, which demonstrated the fact that the oil of Example 1 was remarkably superior to the oil of Comparative Example 2 in heat resistance.

<Table 1> - Please see a separate paper.

[Page 4, lower left column, lines 12-18]

The compound "Phospharol NF46" * (Otsuka Chemical Co., Ltd.) $[(H(CF_2CF_2)_3CH_2O)_3(CF_3CF_2CH_2O)_3](PN)_3$ was used as a compound having a phosphonitrile ring and having only an aliphatic group as a side chain. This compound was very poor at heat resistance

as shown in Table 1 and Figure 1. (* Attorney's note: It is a phonetic translation.)

Compound having only an aliphatic group
as a side chain

Mixture of trimer to heptamer
having an aromatic group as a side chain

特開平 4-198189 (4)

の重量減少開始温度は 175℃で、比較例 2 のオイルの 120℃に比し極めて優れた耐熱性を有することがわかった。

Example 1

第 1 表

Table 1

Comparative
Example 2

	実施例 1	比較例 1	比較例 2
構造 Structure	芳香族側鎖基 3-7 量体混合体	芳香族側鎖基 主成分 3 量体 (95%以上)	脂肪族側鎖基
TGAにおける 重量減少開始温度	175℃	180℃	120℃
室温での性状	Liquid 液体 (79cp:40℃)	Solid 固体 (m.p. 106℃)	Liquid 液体 (83cp:40℃)
電気抵抗 Ωcm	1.2×10^{13}	$> 10^{14}$	1.1×10^{13}
誘電率 (100Hz)	10.1	—	6.1

各特性値は以下のように測定した。

- (1) 熱重量分析 (TGA): 真空炉 TGA-7000 を使用し、Ar 雰囲気、昇温速度 5℃/分
- (2) 粘度: レオメトリックスファーマーイースト製レオメトリックスダイナミックスペクトロメーターを使用
- (3) 電気抵抗: 田アバンテスト製、絶縁抵抗計 TR8601 並びに液体抵抗用セル TR44 を使用
- (4) 誘電率: 東京エレクトロン製 RLC Digibridge CR1689M を使用し、発信周波数 100Hz で測定

Thermogravimetric
Analysis (TGA)

Temperature rising rate
of 5℃/min. under
Ar atmosphere

Dielectric constant (100Hz)

Electric resistance (Ωcm)

State at room temperature

Temperature at which a weight loss begins (T_g)

SINKU-RIKO, INC.